

# Jenkins & Gilchrist

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FROM THE DESK OF:  
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RECIPIENT	COMPANY	FAX NO.	PHONE NO.
1. Examiner Doan	USPTO	703/746-3931	

## • MESSAGE •

Examiner Doan: Attached is the RCE filing package you requested this morning which was filed 4/18/03.  
Serial No. 09/434,318  
Filed: November 4, 1999  
Entitled: Flip-Chip Light Emitting Device  
Our Docket No. 45688-2  
Please let me know if you need anything further. Carol Marstaller (214/855-4808) Thank you.

## NOTICE OF CONFIDENTIALITY

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Time: 9:13 AM

Date: April 25, 2003

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Mailed April 18, 2003 GBS/cam  
 Re Applicant(s) Chien et al  
 Serial No 09/434,318  
 Filed November 4, 1999  
 For FLIP-CHIP LIGHT EMITTING DEVICE  
 Docket No 45688-2

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The following documents were received in the PTO on the date stamped below

- 1) PTO Transmittal Letter (in duplicate)
- 2) Preliminary Amendment
- 3) Request for Reconsideration (RCI)
- 4 Check in the amount of \$375.00 as filing fee
- 5) Acknowledgment postcard

Patent Application  
Docket No. 45688-00002USPT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
CHIEN, ET AL. )  
Serial No.: 09/434,388 ) Examiner: Doan, T  
Filed: November 4, 1999 ) Group Art Unit: 2814  
For: FLIP-CHIP LIGHT EMITTING DEVICE

Mail Stop Fee Preliminary Amendment  
US Patent and Trademark Office  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, Virginia 22313-1450

<p>Certificate of Mailing</p> <p>I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner for Patents, P. O. Box 1450, Alexandria, Virginia 22313-1450.</p> <p>On April 18, 2003</p> <p>Signature: Carol Marsteller <i>Carol Marsteller</i></p>
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Dear Sir:

This is a preliminary amendment and Request for Continuation in the above-identified application and includes the transmitted herewith attachments of the same date and subject which are incorporated hereunto by reference. The signature below is to be treated as the signature to the attachments in absence of a signature thereto.

Transmitted herewith in the above-identified application are:

- 1) Preliminary Amendment
- 2) Request for Reconsideration (RCE) (in duplicate)
- 3) Check in the amount of \$375.00 for a Small Entity
- 4) Acknowledgment Postcard

☒ Applicant Claims small entity status under 37 CFR 1.9 and 1.27.

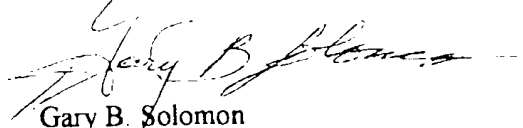
**CHARGE STATEMENT:** The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and may be required under 37 CFR 1.16-1.18 (missing or insufficiencies only) now or hereafter relative to this application and for the resulting Official Document under 37 CFR 1.20, OR credit any overpayment to Jenkins & Gilchrist's Account No. 10-0447 for which purpose a duplicate copy of this sheet is attached.

Patent Application  
Docket No. 45688-00002USPT

This CHARGE STATEMENT does not authorize charge of the issue fee until/unless an issue fee transmittal form is filed

Respectfully submitted,

JENKENS & GILCHRIST, P.C.



Gary B. Solomon  
Registration No. 44,347

Date: April 18, 2003

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PTO/SB/30 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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# REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995.  
See The American Inventor Protection Act of 1999 (AIPA).

Application Number	09 / 434, 318
Filing Date	November 4, 1999
First Named Inventor	Chien
Group Art Unit	2114
Examiner Name	Doan, T.
Attorney Docket Number	45688-00002USPT

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000); 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

## 1. Submission required under 37 C.F.R. § 1.114

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on \_\_\_\_\_  
(Any unentered amendment(s) referred to above will be entered)
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- iii. ☐ Other \_\_\_\_\_
- b. ☒ Enclosed
- i. ☐ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☒ Other Preliminary Amendment

## 2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months. Fee under 37 C.F.R. § 1.17(i) required)
- b. ☐ Other \_\_\_\_\_

## 3. Fees

The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 10-0447
- i. ☒ RCE fee required under 37 C.F.R. § 1.17(e)
- ii. ☐ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
- iii. ☐ Other any underpayment
- b. ☒ Check in the amount of \$ 375.00 enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Gary B. Solomon	Registration No. (Attorney/Agent)	44,347
Signature	<i>Gary B. Solomon</i>	Date	4/18/03

## CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on:

Name (Print/Type)	Carol J. Harstaller	Date	4/18/03
Signature	<i>Carol J. Harstaller</i>		

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND Fees and Completed Forms to the following address: Assistant Commissioner for Patents, Box RCE, Washington, DC 20231.